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JAN 27 2020
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

GENERAL AKECHETA MORNINGSTAR

PLAINTIFF

VS.

CIVIL ACTION NO. 3:20cv030-NBB-JMV

KROGER COMPANY

DEFENDANT

COMPLAINT

(PLAINTIFF DEMANDS TRIAL BY JURY)

COMES NOW, Plaintiff Akecheta Morningstar, pro se, files his complaint against Defendant, **Kroger Co.** In support thereof, the Plaintiff states as follows:

PARTIES

The Plaintiff, Akecheta Morningstar is an adult resident citizen of Hinds County in the State of Mississippi. The Kroger Company is a business whose home office is located : 1014 Vine Street, Cincinnati, OH 45202.

JURISDICTION AND VENUE

This Court has jurisdiction over this matter because the Plaintiff is claiming diversity status based on Civil code 28 U.S. 1332. Also due to the Plaintiff's Rights was violated pertaining to Title VII of the Civil Rights Act of 1964. The Plaintiff also has a disability that his employer was aware of and he is protected under the ADA of 1990. The Plaintiff filed the aboved styled case in the Northern District due to the fact he has aspirations of moving to that area shortly because of his housing and job problems at his current place of abode. Additionally, the Northern District would negate any possible biases that may be prevalent where the incidence Occurred.

FACTS

On July 11, 2019, Plaintiff, General Akecheta Morningstar, began his employment for The Kroger Company located off the Spillway in Brandon, Mississippi. During his first day of work, while he was on the computer, the hiring manager, Tom Massey, asked him the strangest question in which the Plaintiff initially disregarded. The question was: **"You're not dead yet?"** The Plaintiff would soon discern why he asked that outlandish question. Thereafter, the Plaintiff began training with a Caucasian co-worker by the name of Donald (they called him Jeffrey.) The Plaintiff quickly learn the ins and outs of being a meat clerk and was soon introduced to cleaning the butcher's shop as well. The Plaintiff was very industrious and performed his job quite well. His Caucasian co-worker frequently took unauthorized extended breaks and left the Plaintiff with all the work. The Plaintiff never did complain. He just worked steady and finished the work in a timely fashion. His Caucasian co-worker used to get irritated because the plaintiff wouldn't complain and made this statement: **"You have such a calm spirit."** Performing the work of 2 people nightly continued and one night Donald told

the Plaintiff that he has the right to take someone's life. Another Caucasian coworker sent him an email subliminally stating how the White race was perfect and others was considered thorns and that they would be removed. The harassment continued by management and the coworkers and one night Donald yelled at the top of his voice in front of customers and that's when the Plaintiff turned him in for the threat he made earlier. The letter summarized his 76 days at the depraved establishment. It also indicated how the Plaintiff was threatened with violence. It was sent to all of management. Two days later, the Plaintiff was terminated.

CLAIM FOR RELIEF

Of course the Plaintiff live in a right to work state, and the Employer can terminate you for any reason. However, the Kroger Company was a unionize company. The Plaintiff is claiming relief under title VII of the Civil Rights Act of 1964. The Plaintiff was specifically targeted for **wrongful termination** in retaliation for him reporting hostile and dangerous work environment. The Plaintiff acquiesced to all the demands of the employer but was still discriminated against. The Plaintiff job was also protected by the ADA since the Plaintiff suffered from a mental illness that the employer was aware of. Yet instill, the Plaintiff was harassed and overworked.

DAMAGES


Plaintiff seeks damages for pain and suffering and financial loss. Defendants

actions constituted gross conduct, therefore the Plaintiff seeks punitive damages.

In addition, the Plaintiff seeks trial by jury.

Respectively submitted this the _25th_ day of January, 2020

Akecheta Morningstar

A handwritten signature in black ink that reads "Akecheta Morningstar". The signature is stylized with a large, looped initial 'A' and a long horizontal stroke at the end.

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